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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/467,646	12/20/1999	ANTHONY F. HERBST	NEWMRKTP99-4	2648
7590 11/16/2006			EXAMINER	
PETER K TRZYNA			POINVIL, FRANTZY	
P O BOX 7131				
CHICAGO, IL 606807131			ART UNIT	PAPER NUMBER
			3692	
	•		D. T. L. L. L. C. 11 11 (1000)	

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
Nation of Abandonment	09/467,646	HERBST ET AL.			
Notice of Abandonment	Examiner	Art Unit			
	Frantzy Poinvil	3628			
The MAILING DATE of this communication ap	A	<del></del>			
This application is abandoned in view of:					
1 M Applicant's failure to timely file a proper reply to the Office	ce letter mailed on 17 August 2006				
<ol> <li>Applicant's failure to timely file a proper reply to the Office letter mailed on <u>17 August 2006</u>.</li> <li>A reply was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply (including a total extension of time of month(s)) which expired on</li> </ol>					
(b) 🗌 A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.					
(A proper reply under 37 CFR 1.113 to a final rejection application in condition for allowance; (2) a timely file Continued Examination (RCE) in compliance with 37	d Notice of Appeal (with appeal fee);				
(c) ☐ A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).					
(d) ☐ No reply has been received.					
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).					
(a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).					
(b) ☐ The submitted fee of \$ is insufficient. A balance of \$ is due.					
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$					
(c) ☐ The issue fee and publication fee, if applicable, has not been received.					
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).					
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.					
(b) ☐ No corrected drawings have been received.					
4. The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.					
5. The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.					
6. The decision by the Board of Patent Appeals and Interference rendered on 17 August 2006 and because the period for seeking court review of the decision has expired and there are no allowed claims.					
7. The reason(s) below:					
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Frantzy Poinvil					
		Primary Examiner			
D-155	anni Alba baldina af ab a la constant de Car	Art Unit: 3628			
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.					
U.S. Patent and Trademark Office PTOL-1432 (Rev. 04-01)  Notice	of Abandonment	Part of Paper No. 20061104			